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DEPARTMENT OF THE NAVY
Office of the Secretary
Washington, DC 20350-1000

SECNAVINST 5300.28B CH-1
OP-1531
2 May 1991

**SECNAV INSTRUCTION 5300.28B
CHANGE TRANSMITTAL 1**

From: Secretary of the Navy
To: All Ships and Stations

Subj: MILITARY ALCOHOL AND DRUG
ABUSE PREVENTION AND
CONTROL

Encl: (1) Reprinted page 5 and revised
page 6
(2) Reprinted page 3 and revised
pages 4 and 5 of enclosure (2)

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1. **Purpose.** To revise the submission date of the annual management assessment of the Navy and Marine Corps drug and alcohol programs and more accurately define the senior enlisted leadership of Navy and Marine Corps by title vice paygrade.

2. **Action.** Remove pages 5 and 6 of the basic instruction and pages 3, 4 and 5 of enclosure (2) of the basic instruction and replace with enclosures (1) and (2) of this change transmittal.

DAN HOWARD
Secretary of the Navy
(Acting)

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commissioned officers, warrant officers, and staff non-commissioned officers is inconsistent with their exemplary roles as leaders and voids their potential for useful service. They will be disciplined, as appropriate, and processed for separation under references (j) and (k).

c. Junior enlisted personnel committing offenses involving use or possession of controlled substances shall also be disciplined, as appropriate, and processed for separation. The CNO and CMC may authorize case-by-case waivers of this policy for members who are found to have potential for future useful drug-free service and a high probability of successful treatment. A regimen of counseling, treatment and/or rehabilitation must be successfully completed. Authority to waive this policy after a second offense will be exercised by a flag or general officer at the service headquarters level.

Enclosure (2)

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(2) Enlisted personnel confirmed positive for THC alone shall be discharged unless a waiver is granted under criteria established by the CNO and CMC following an individual assessment of the particular case.

(3) Enlisted personnel confirmed positive at a 0.05 percent or greater blood-alcohol level and who are not alcohol dependent shall be discharged unless a waiver is granted under criteria established by the CNO and CMC following an individual assessment of the particular case.

(4) During national emergencies when conscription is authorized, the Secretary of the Navy may retain inductees who test positive for drugs or alcohol if deemed appropriate considering all relevant factors at the time.

(5) The basis for discharge of enlisted members under policies established by this instruction shall normally be erroneous enlistment (uncharacterized) as provided by reference (j).

c. Officer Separation Policy

(1) Applicants for appointment as midshipmen shall be disapproved if the applicant refuses to consent to drug or alcohol testing or evaluation, is confirmed positive for illicit drugs, is confirmed positive at a 0.05 percent or greater blood-alcohol level, or is dependent on drugs or alcohol.

(2) Appropriate disenrollment action shall be taken against an NROTC member upon refusal to consent to testing or dependency, and no offer of appointment shall be made to such an individual. Positive drug test results or refusal to consent to testing or evaluation may be treated as evidence of misconduct on the part of the NROTC member for the purpose of recoupment or ordering to active duty in an enlisted status. Only those midshipmen confirmed positive for THC alone and who receive a waiver from the Secretary of the Navy may be ordered to active duty, except during periods of conscription.

(3) Officers who are tested after appointment by inspection or for cause under this policy and are found positive for illicit drugs, or who refuse to consent to testing or evaluation, shall be given an uncharacterized discharge per Department of Defense Directive 1332.30 of 12 February 1986 (NOTAL), paragraph B2a, unless the separating authority determines that a characterized discharge is more appropriate based upon other misconduct.

Enclosure (2)

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(4) Applicants for appointment as midshipmen and officers who are tested after appointment by inspection or for cause and who are confirmed positive at a 0.05 percent or greater blood-alcohol level and who are not alcohol dependent shall be denied the appointment and processed for separation, as appropriate, unless a waiver is granted under criteria established by the CNO and CMC following an individual assessment of the particular case.

4. Post Enlistment Disclosure of Pre-service Drug or Alcohol Abuse. Military personnel who as applicants disclaim pre-service drug or alcohol abuse and subsequently admit to pre-service abuse which could have disqualified them from entry into the service will be evaluated on a case-by-case basis at the time of such admission. Those who would have met the acceptance criteria specified above at time of entry and who have the potential for future useful abuse-free service may be retained under criteria established by the CNO and CMC. All others should be processed for separation.

5. Pre-service Drug-Related Offenses. For purposes of this enclosure, the phrase "convicted of a drug abuse offense" will not include civilian arrests or judicial action involving drug abuse when the charges were dismissed or the individual was adjudged not guilty, except where the dismissal was the result of an agreement or deferral of prosecution conditioned on entry into the Naval Service. Persons with drug-related convictions identified by the recruiter local police check and on their entrance national agency check should normally be considered ineligible for Naval Service.

6. Pre-service Alcohol Related Offenses. Individuals who have been convicted of an alcohol-related offense may also be considered within the guidelines for acceptance provided for in paragraph 2a. However, persons with multiple alcohol-related civil convictions (DWIs, etc.), should normally be considered ineligible for naval service.

7. In-Service Drug Related Offenses

a. Drug trafficking is so detrimental to military readiness, reliable mission accomplishment and the health and welfare of naval personnel that disciplinary action, as appropriate, and processing for separation under references (j) and (k) are mandatory.

R) b. Drug abuse in the Navy by commissioned officers, warrant officers, and senior petty officers and in the Marine Corps by

Enclosure (2)

programs for the Chief of Naval Research and the Administrative Assistant to the Under Secretary of the Navy as mutually agreed.

a. These programs shall be designed to support functional areas of personnel management, recruiting, retention, and administrative separation.

b. To enhance integration of the total drug abuse control program, the CNO and CMC shall each establish a single office in their respective headquarters to monitor and coordinate all aspects of prevention, detection, testing, deterrence, enforcement, education, training, treatment and rehabilitation.

c. The CNO shall establish and operate drug testing laboratories, and contract as necessary for testing services, to be fully responsive to the military urinalysis testing requirements of the Navy and Marine Corps. The CNO shall ensure that procedures related to collection, transmission, testing, storing and recordkeeping in the urinalysis testing program are conducted under a standard procedure conforming to the requirements of reference (i).

d. The CNO shall establish and operate residential drug and alcohol rehabilitation facilities, applying a standardized treatment regimen, following the requirements of reference (h), to be fully responsive to the rehabilitation requirements of the Navy and Marine Corps under this instruction and references (j) and (k).

e. Programs and standards of practice for dependent family members shall be consistent, to the extent permitted by law and within the limitations in this instruction, with those for military personnel, and with accepted practice in the alcohol and drug abuse area.

f. The CNO and CMC shall provide alcohol and drug program managers to represent the Department of the Navy on the Department of Defense Alcohol and Drug Abuse Advisory Committee as required by reference (g), and on such other military and governmental committees and task groups as may be requested by the

Office of the Secretary of Defense. Those representatives may not make policy commitments on behalf of the Department of the Navy but shall keep the ASN(M&RA) continuously apprised of actions considered by such groups which would modify or impact upon the effectiveness of Department of the Navy policies and programs under this instruction.

g. The CNO and CMC shall ensure that appropriate measures are taken to:

(1) Prevent trafficking of drug and drug paraphernalia by, Department of Defense and non-Department of Defense personnel, on military ships, aircraft and installations.

(2) Minimize the effect on military personnel of illegal possession and use of drugs by civilian employees.

(3) Provide for off-station enforcement, in compliance with references (d) and (l), when the availability of drugs and drug abuse paraphernalia in the civilian community reveals a threat to the discipline, health, welfare or morale of members of the Armed Forces.

(4) Provide guidance and assistance to commanding officers and activity heads to ensure effective execution of drug and alcohol abuse control policies and programs.

(5) Provide training to military and civilian supervisors and counselors under references (b), (h) and (m).

h. The CNO and CMC shall assure maximum coordination and cooperation through joint participation in a policy committee sponsored by the CNO. The committee shall ensure that Navy and Marine Corps programs demonstrate uniformity and economy of purpose. As part of this cooperation, rehabilitation treatment services will be provided for the Marine Corps. The CMC will provide counselors and administrative assistance to naval treatment centers in appropriate proportion to the numbers of Marine Corps personnel undergoing treatment.

i. The CNO and CMC shall establish procedures for identifying pre-service drug abusers at the point of initial application and in recruit and major initial specialty training programs, accepting for service and continuing only those who are highly likely to meet acceptable standards of performance and conduct without further abuse as provided in enclosure (2).

j. The CNO and CMC may request exceptions to these policies for medical, educational, operational or personnel management purposes when deemed essential, and propose changes when needed to meet basic policy objectives, providing supportive justification.

k. The CNO and CMC shall maintain such records to be able to supply data similar to that provided in reference (g) as required to the Office of the Secretary of Defense with copies to ASN(M&RA).

- R) l. The CNO and CMC shall provide management assessments of program execution to ASN(M&RA) by 15 March for the previous fiscal year. The assessments should provide their evaluation of the effectiveness of preventive education, detection, deterrence, disciplinary and separation actions, counseling and rehabilitation programs, waivers of pre-service exclusionary provisions and policies directing separation of in-service drug abusers, levels of drug abuse and trafficking, and alcohol abuse, and any other desired information relating to control of abuse of drugs and alcohol.

DAN HOWARD
Under Secretary of the Navy

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